

Notice of Allowability

Application No.

10/774,627

Examiner

Kainoa BK Wright

Applicant(s)

HAMANO ET AL.

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Proposed Amendment dated 1/25/2007.
2. ☒ The allowed claim(s) is/are 6,9,16 and 19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 11/3/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Response to Amendment

1. The proposed reply filed on 1/25/2007 has been considered by examiner.
2. Claims 1-5, 7-8, 10-15, 17-18 and 20 have been cancelled.

Allowance

3. Claims 6, 9, 16, and 19 are allowed.
4. The following is an examiner's statement of reasons for allowance:

Regarding Claim 6: The merits of claim 6 are considered to be allowable because the limitations of the claim as they apply to the art of image forming devices are such that examiner is unable to produce prior art that would preclude patentability.

Specifically, examiner believes that the adjustment of an integer portion of a conversion result with respect to a decimal portion of the conversion result; the conversion result depending from a unit conversion of a count value; the count value being of a length measurement of a transfer belt; is previously unknown in the art of image forming devices.

Regarding Claim 16: The methods of claim 16 follow the functionality of the devices of claim 6 such that the operation of the devices of claim 6 produce the steps corresponding to claim 16, and as such the arguments presented for claim 6 are valid for claim 16.

Regarding Claim 9: The allowable features of this claim include the selection of an image writing reference signal (or mode of producing an image writing reference

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signal) based on a change or lack of change in the processing speed at which the image formation takes place. Tominaga (previously cited) shows that it is known in the art to provide for an uneven process speed by issuing registration signals according to a circumference measurement; however, examiner believes that the patentable feature of the present invention relies on the fact that the present invention responds to a change in the process speed by switching signals to one which accounts for the changing speed.

Regarding Claim 19: The methods of claim 19 follow the functionality of the devices of claim 9 such that the operation of the devices of claim 9 produce the steps corresponding to claim 19, and as such the arguments presented against claim 9 are valid for claim 19.

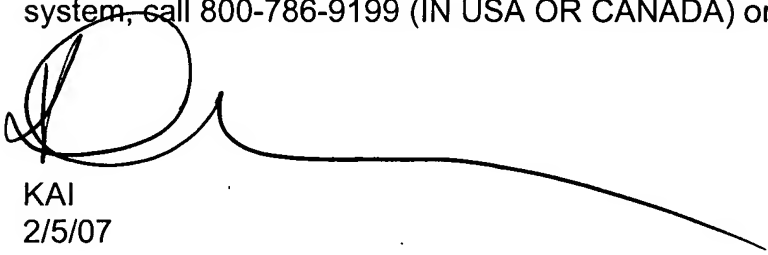
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kainoa BK Wright whose telephone number is (571) 272-5102. The examiner can normally be reached on M-F 8:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



KAI
2/5/07

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PRIMARY EXAMINER